

Remarks

Reconsideration of claims 25-30 is respectfully requested.

In the Office action dated May 23, 2005, the Examiner rejected various ones of the claims under 35 USC §§ 102(e) and 103(a). The Examiner's specific rejections will be discussed below in the order appearing in the Office action.

35 USC § 102(e) Rejection - Claims 27-30

The Examiner first rejected claims 27-30 under 35 USC 102(e) as being anticipated by US Patent 6,539,079 (Crockett et al). With respect to independent claim 27, the Examiner cited Crockett et al. as teaching a call-back message notification server (service node 280) that "automatically effects a call to a subscriber device in response to one of receipt of a new message, a change in message status, and a lapse of a predetermined period of time since a prior call".

Applicant cannot agree with the Examiner's characterization of Crockett et al. The arrangement of Crockett et al. is directed to a voicemail system that senses when a called party has gone back "on hook" (completed a first call), to signal the called party that one or more other calls have been attempted during that first call. There is no discussion or suggestion in Crockett et al. that the system initiates a "voicemail status call" to a subscriber when, for example, a new message is received (unless the subscriber has just completed a previous call). No such limitation of the subscriber going back on-hook is associated with the teaching of the present invention. Applicant thus asserts that Crockett et al. cannot be found to anticipate the subject matter of claim 27.

Regarding independent claim 28 and associated dependent claims 29-30, the Examiner cited Crockett et al. as teaching the transmission of at least one assigned ID number "according to the status of messages of said voice mail server". Applicant cannot agree with this finding. The referenced portion of Crockett et al. disclose a system where "ID" information associated with the person recording the voicemail message (the

“calling party”) is appended to the message. For example, the “caller ID” information of a person leaving a message for the subscriber may be stored. In contrast, the “unique ID number” used in the present invention is associated with the called party - the subscriber of the service -- with perhaps a “first” number transmitted to the subscriber to indicate that new voicemail is present and a “second” number transmitted to subscriber when no voicemail is present (claim 29). Clearly, Crockett et al. uses a different “ID” number for each person placing an incoming call to the subscriber. The present invention, in contrast, “associates” a unique ID number with a subscriber - not a calling party.

Based on all of these distinctions, applicant asserts that Crockett et al. cannot be found to anticipate the subject matter of the present invention as defined by claims 27-30. Applicant thus respectfully requests the Examiner to reconsider this rejection and find claims 27-30 to be in condition for allowance.

35 USC § 103(a) Rejection - Claims 25-26

The Examiner next rejected claims 25-26 under 35 USC 103(a) as being unpatentable over US Patent Application No. 2002/0031211 (Fullarton) in view of Crockett et al. (as applied above). Fullarton was cited by the Examiner as teaching the partitioning of a “single” mailbox into separate sections associated with different individuals.

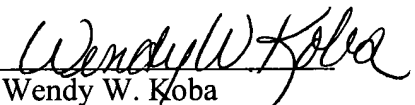
In response, applicant asserts that regardless of the teaching of Fullarton, the combination of Fullarton with Crockett et al. does not disclose or suggest any arrangement including a “controller” that transmits changes in mailbox status to subscribers (in this case, to separate mailbox partitions) by transmitting a “unique ID” for that partition. Without this teaching, applicant asserts that the combination of Fullarton and Crockett et al. cannot be found to render obvious the subject matter of independent claim 25, or claim 26 which depends therefrom.

Applicant therefore respectfully requests the Examiner to reconsider this rejection and find claims 25 and 26 to be in condition for allowance.

In summary, the present application contains claims 25-30, where the claims have been amended to more accurately describe the subject matter of the present invention. Applicant believes that with these amendments the case is now ready to issue and respectfully requests an early and favorable response from the Examiner in that regard. If for some reason the Examiner does not agree with the applicant's findings, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

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